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March 31, 1997

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

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MAR 31 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re:

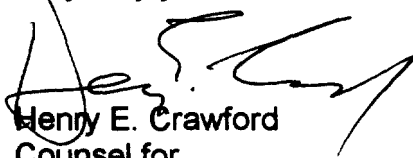
Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations Westley, California MM Docket No. 97-47, RM-8992

Dear Mr. Caton:

Transmitted herewith on behalf of Westley-Grayson Broadcasting Company are an original and four (4) copies of its "Comments of Westley-Grayson Broadcasting Company" as directed to the Chief, Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,


Henry E. Crawford
Counsel for
Westley-Grayson Broadcasting
Company

cc: John A. Karousos
Ms. Nancy Joyner

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

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MAR 31 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)	MM Docket No. 97-47
)	
Amendment of Section 73.202(b))	RM-8992
Table of Allotments)	
FM Broadcast Stations)	
(Westley, California))	

To: Chief, Allocations Branch

COMMENTS OF WESTLEY-GRAYSON BROADCASTING COMPANY

Westley-Grayson Broadcasting Company ("Westley-Grayson"), by counsel, in accordance with 47 CFR §§ 1.415 and 1.420, hereby submits its Comments in the above-captioned proceeding. In support thereof, Westley-Grayson states as follows:

I. INTRODUCTION

1. On February 7, 1997, the Commission released a Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding in which it proposed the allotment of Channel 238A to Westley, California as its first local transmission service. Westley-Grayson supports the allotment of Channel 238A to Westley, California for the reasons stated in the NPRM and also for the reasons stated by Westley-Grayson in its *Petition for Rulemaking*, which is hereby incorporated by reference. However, in the NPRM, the Commission asked Westley-Grayson to "provide additional information regarding the attributes

of Westley, California".¹ In response to this request, Westley-Grayson provides the following information.

A. Westley, California Is A Community For Purposes Of The FM Table Of Allotments

2. Westley has its own post office and zip code (95387).² It is listed as having a population of 700 persons. The presence of a post office is evidence of community status. See, Homerville, Lakeland and Statenville, Georgia, 6 FCC Rcd 5802, ¶10 (1991). Westley is also home to several commercial businesses. There is, for example, the Westside Exotics Palm Nursery,³ 4L Processing,⁴ Just Tomatoes, Etc.⁵ Westley is the location of the Oak Flat Water District.⁶ It is also the site of the General Electric, Oxford Energy Project.⁷

3. In sum, the town of Westley, California has several political and social institutions as shown by its post office, zip code and a lively array of commercial businesses and utility projects. Therefore, the Community of Westley is entitled to treatment as a community for purposes of the table of allotments.

¹ NPRM, p. 2, ¶3.

² Rand McNally Commercial Atlas & Marketing Guide, 128th Ed. 1997, p. 269.

³ See, <http://www.cog.brown.edu/gardening/f41cat.html>.

⁴ See, <http://www.almond.org/handler-list.html>.

⁵ See, <http://www.coffeetalk.com/cww/comaster.htm>.

⁶ See, http://www.dwr.water.ca.gov/dir-state_water_project/State_Wtr_Contractors.html.

⁷ See, <http://www.worldcentre.com/basin/b33b.html>.

B. Westley-Grayson's Intention To Apply For The Channel And Construct The Station

4. If the Commission assigns Channel 238A to Westley, California, Westley-Grayson will apply for a construction permit and will construct a new facility upon award of that permit.

II. CONCLUSION

5. Westley, California has been shown to possess the social and political characteristics of a community for purposes of assigning Channel 238A to Westley. Moreover, Westley-Grayson has reiterated its desire to file an application to construct an FM facility at Westley in the event that the channel is allotted. Therefore, Westley-Grayson respectfully requests that Channel 238A be allotted to Westley, California.

WHEREFORE, in accordance with the above, Westley-Grayson Broadcasting Company respectfully requests that Channel 238A be assigned to Westley, California as its first local aural transmission service.


March 31, 1997

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Respectfully Submitted,

Westley-Grayson Broadcasting Company

By: 
Henry E. Crawford
Its Attorney

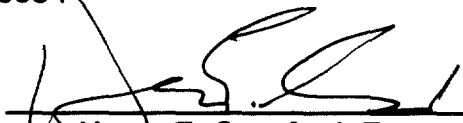
CERTIFICATE OF SERVICE

I, Henry E. Crawford, Esq., do hereby certify that copies of the foregoing
Comments of Westley-Grayson Broadcasting Company have been served by
United States mail, postage prepaid this 31st day of March, 1997 upon the
following:

*John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Washington, D.C. 20554

*Ms. Nancy Joyner
Allocations Branch
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*Hand Delivered


Henry E. Crawford, Esq.